IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.1000 OF 2003

Shri Dagadu Gurav, since deceased
through legal heirs
Shri Dnyandeo Dagadu Gurav and ors. .. Petitioners

Vs

Shri Subhash Prabhakar Joshi and Anr Respondents.

Mr A.V.Anturkar, for the petitioners.

Mr P.J.Pawar, for respondent nos 1 and 2.

CORAM : D.B.BHOSALE,J.

DATE : 30th November, 2004.

PC:

1. Heard the learned counsel for the parties.

2. The instant writ petition arises out of the consequential proceedings initiated at the instance of respondent nos.1 and 2 after the proceedings under section 32P of the Bombay Tenancy and Agricultural Lands Act, 1948 were concluded. These proceedings were initiated since the petitioners objected to hand over possession in pursuance of the orders passed in 32P proceedings. The 32P proceedings were taken out by respondent nos 1 and 2 against the petitioners and they were concluded by the order of the Maharashtra Revenue Tribunal dated 11.2.1992. Admittedly, that order was

never challenged by the petitioners. Since the order in the 32P proceedings attained finality it is binding on the petitioners and in view thereof the MRT has rightly dismissed the revision application and confirmed the orders passed by the courts below. Keeping that in view and considering the extremely limited jurisdiction of this Court under Article 227 of the Constitution of India to disturb the concurrent findings recorded by the authorities below, the petition deserves to be dismissed. Order accordingly.

2. Certified copy expedited.

(D.B.BHOSALE, J.)